IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 10593 of 2004

Between:
1 Gulam Akbar S/o. Gulam Dastagir
R/o. H.No. 18-8-220/10/c, Riyasatnagar, Hyderabad.
2 Sabera Begum W/o.Gulam Akbad
18-8-228/10/c, Riyasatnagar, Hyderabad.

..... PETITIONERS

AND

1 The Station House Officer, Santoshnagar, Police Station,
Hyderabad.
2 The Sub-Inspector of Police, Santoshnagar Police Station,
Hyderabad.
3 The Commissioner of Police, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more in the nature of writ of mandamus directing the respondents not to harass the petitioner with regard to the matter relating to the civil dispute which is pending in the court of law between the second petitioner and Smt. Norrjahan begum and others and declare the action of the respondents specially the second in harassing the petitioners and their family members at the behest of the private parties in order to force the petitioners to come to a compromise with the said parties and thus interfering in a purely civil matter as illegal .

For the Petitioners: Mr.K.ANANTHA RAO, Advocate

For the Respondents: THE GOVERNMENT PLEADER FOR HOME

The Court made the following ORDER:

This writ petition is filed by the petitioners aggrieved by the action of the respondents in interfering with the civil dispute, at the instance of the defendants in O.S.No.1384 of 2004 on the file of the IX Junior Civil Judge, City Civil Courts, Hyderabad, which was filed for the recovery of money from Smt. Noorjahan Begum and Smt.Shanaz Begum, who were residing opposite to the petitioners' house. It is stated that the second petitioner is the plaintiff in that suit. At the instance of the above two defendants in the suit, the first respondent and the second respondent are interfering and calling the petitioners to the Police Station and directing them to settle the dispute between the petitioners and the said defendants in the above referred suit. Therefore, the petitioners have come up with the present writ petition contending that the respondent police officers have no jurisdiction to interfere with the civil dispute between the petitioners and the defendants.

2. Heard learned counsel for the petitioner and the learned Government Pleader for Home.

3. The writ petition is disposed of at the admission stage. In view of the admitted fact that no case was registered and pending against the petitioners, the respondents have no jurisdiction to call the petitioners to the police station and interfere with the civil dispute between the petitioners and the defendants in the above referred suit. Therefore, the respondents are specifically directed not to call the petitioners to the police station with reference to the above civil dispute.

4. The writ petition is accordingly disposed of at the admission stage.

28.06.2004

va

To

1 The Station House Officer, Santoshnagar, Police Station, Hyderabad.
2 The Sub-Inspector of Police, Santoshnagar Police Station, Hyderabad.
3 The Commissioner of Police, Hyderabad.
2. Two CCs to G.P. for Home, High Court Buildings, Hyderabad (OUT)
3. Two CD Copies